

THURSDAY, MAY 18, 2000

SEVENTY-NINTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative Wood.

Representative Wood led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 95

Representatives present were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 95.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Givens; business reasons.

Representative Rhinehart; illness.

Representative Ridgeway; personal reasons.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 227: Rep(s). Pleasant as prime sponsor(s).

House Bill No. 718: Rep(s). Buttry as prime sponsor(s).

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House Bill No. 2841: Rep(s). Maddox as prime sponsor(s).

House Bill No. 2874: Rep(s). Godsey and Mumpower as prime sponsor(s).

House Bill No. 3109: Rep(s). L. DeBerry and Naifeh as prime sponsor(s).

ENROLLED BILLS

May 18, 2000

The following bills have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 643, 1022, 1370, 1559, 2160, 2182, 2311, 2449, 2529, 2546, 2766, 3250, 3317; House Joint Resolution(s) No(s). 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711, 712; also, House Resolution(s) No(s). 223, 224 and 226.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

May 18, 2000

The Speaker signed the following: House Bill(s) No(s). 643, 1022, 1370, 1559, 2160, 2182, 2311, 2449, 2529, 2546, 2766, 3250, 3317; House Joint Resolution(s) No(s). 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711, 712; also, House Resolution(s) No(s). 223, 224 and 226.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 643, 1022, 1370, 1559, 2160, 2182, 2311, 2449, 2529, 2546, 2766, 3250, 3317; also, House Joint Resolution(s) No(s). 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711 and 712; signed by the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

May 18, 2000

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 643, 1022, 1370, 1559, 2160, 2182, 2311, 2449, 2529, 2546, 2766, 3250, 3317; also, House Joint Resolution(s) No(s). 692, 693, 694, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 708, 709, 710, 711 and 712.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 847 and 854; adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 847 -- Memorials, Retirement - Delores Lester. by *Rochelle.

Senate Joint Resolution No. 854 -- Memorials, Recognition - Jimmy Carroll Glass, Pastor, Schoolfield United Methodist Church. by *Kyle.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 824, 836, 837, 838, 839, 840, 841, 843, 844, 845, 846, 848, 850, 851, 852 and 853; all adopted for concurrence.

RUSSELL HUMPHREY, Acting Chief Clerk.

Senate Joint Resolution No. 824 -- Memorials, Interns - Holly Salmons. by *Haun, *Womack, *Davis L.

Senate Joint Resolution No. 836 -- Memorials, Retirement - Janice L. Sorsby. by *Cohen.

Senate Joint Resolution No. 837 -- Memorials, Academic Achievement - Branden Witt, Valedictorian, Friendship Christian High School. by *Rochelle.

Senate Joint Resolution No. 838 -- Memorials, Academic Achievement - Julie Kieffer, Salutatorian, Friendship Christian High School. by *Rochelle.

Senate Joint Resolution No. 839 -- Memorials, Academic Achievement - Kristi Handley, Valedictorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 840 -- Memorials, Academic Achievement - Scott Seaton, Salutatorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 841 -- Memorials, Academic Achievement - Tyler Brown, Salutatorian, Maryville High School. by *Clabough.

Senate Joint Resolution No. 843 -- Memorials, Interns - Allison McCanless. by *Wilder.

Senate Joint Resolution No. 844 -- Memorials, Death - Troy W. Tomlin. by *Wilder.

Senate Joint Resolution No. 845 -- Memorials, Recognition - Coors Brewing Company and its Memphis plant. by *Dixon.

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Senate Joint Resolution No. 846 -- Memorials, Public Service - Dean Stone. by *Clabough.

Senate Joint Resolution No. 848 -- Memorials, Interns - Cristy Cooper. by *Graves.

Senate Joint Resolution No. 850 -- Memorials, Public Service - Francis Biggs, "Madison Station Conductor of the Year.". by *Haynes.

Senate Joint Resolution No. 851 -- Memorials, Personal Achievement - Douglas G. Odom, Jr., "Senior of the Year". by *Haynes.

Senate Joint Resolution No. 852 -- Memorials, Interns - Junaid Odubeko. by *Haynes.

Senate Joint Resolution No. 853 -- Memorials, Death - Charles Worley, Jr. by *Ramsey, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Williams, *Womack.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to request the return of House Bill(s) No(s). 3297 for further consideration.

RUSSELL HUMPHREY, Acting Chief Clerk.

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. McDonald and Sen. Graves were recognized in the Well to introduce members of the 2000 Portland Strawberry Festival for remarks.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for May 22, 2000:

House Resolution No. 228 -- Memorials, Interns - Susan Toombs. by *Eckles.

House Resolution No. 229 -- Memorials, Recognition - Ashland City Volunteer Fire Department. by *Williams (Williamson).

House Joint Resolution No. 756 -- Memorials, Interns - Lori Peterson. by *Ridgeway, *Odom, *Brown.

House Joint Resolution No. 757 -- Memorials, Interns - Amanda Jones. by *Buttry.

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House Joint Resolution No. 758 -- Memorials, Professional Achievement - Gail Martin, All Tennessee School Board Member. by *Caldwell.

House Joint Resolution No. 761 -- Memorials, Retirement - Mary John Chaffin. by *Hargrove.

House Joint Resolution No. 762 -- Memorials, Interns - Vakeita Terese Barrett. by *Turner (Shelby), *Miller L.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for May 22, 2000:

Senate Joint Resolution No. 854 -- Memorials, Recognition - Jimmy Carroll Glass, Pastor, Schoolfield United Methodist Church. by *Kyle.

Senate Joint Resolution No. 824 -- Memorials, Interns - Holly Salmons. by *Haun, *Womack, *Davis L.

Senate Joint Resolution No. 836 -- Memorials, Retirement - Janice L. Sorsby. by *Cohen.

Senate Joint Resolution No. 837 -- Memorials, Academic Achievement - Branden Witt, Valedictorian, Friendship Christian High School. by *Rochelle.

Senate Joint Resolution No. 838 -- Memorials, Academic Achievement - Julie Kieffer, Salutatorian, Friendship Christian High School. by *Rochelle.

Senate Joint Resolution No. 839 -- Memorials, Academic Achievement - Kristi Handley, Valedictorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 840 -- Memorials, Academic Achievement - Scott Seaton, Salutatorian, Mt. Juliet High School. by *Rochelle.

Senate Joint Resolution No. 841 -- Memorials, Academic Achievement - Tyler Brown, Salutatorian, Maryville High School. by *Clabough.

Senate Joint Resolution No. 843 -- Memorials, Interns - Allison McCanless. by *Wilder.

Senate Joint Resolution No. 844 -- Memorials, Death - Troy W. Tomlin. by *Wilder.

Senate Joint Resolution No. 846 -- Memorials, Public Service - Dean Stone. by *Clabough.

Senate Joint Resolution No. 848 -- Memorials, Interns - Cristy Cooper. by *Graves.

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Senate Joint Resolution No. 850 -- Memorials, Public Service - Francis Biggs, "Madison Station Conductor of the Year.", by *Haynes.

Senate Joint Resolution No. 851 -- Memorials, Personal Achievement - Douglas G. Odom, Jr., "Senior of the Year". by *Haynes.

Senate Joint Resolution No. 852 -- Memorials, Interns - Junaid Odubeko. by *Haynes.

Senate Joint Resolution No. 853 -- Memorials, Death - Charles Worley, Jr. by *Ramsey, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, J, *Wilder, *Williams, *Womack.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

Senate Bill No. 2598 -- Criminal Offenses - Requires person arrested for aggravated assault of certain victims be tested for HIV. Amends TCA Title 39, Chapter 13. by *Blackburn, *Dixon, *Person. (*HB2407 by *Beavers, *Todd)

Senate Bill No. 2716 -- Judges and Chancellors - Allows judge to appoint special judge to expedite hearings when such judge finds it necessary. Amends TCA Title 17, Chapter 2. by *Cooper, *Cooper. (*HB2235 by *Buck)

***Senate Bill No. 2749** -- Unemployment Compensation - Increases rate of premiums employers pay from 5.5 percent to 6.5 percent of wages; revises information to be supplied by employers in separation issues to include witnesses and details of relevant events. Amends TCA Title 50, Chapter 7. by *Rochelle, *Dixon. (HB2667 by *West)

Senate Bill No. 3174 -- Motor Vehicles, Titling and Registration - Reclassifies City of Oak Ridge cultural plate as new special earmarked license plate; earmarks 50 percent of funds produced from sale thereof to City of Oak Ridge school system Amends TCA Title 55, Chapter 4. by *McNally, *Davis L. (*HB2789 by *Caldwell)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

House Bill No. 3351 -- Morrison -- Local Bill Held on House Desk

House Bill No. 3352 -- Richard City -- Local Bill Held on House Desk

House Bill No. 3353 -- Cheatham County -- Local Bill Held on House Desk

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House Bill No. 3354 -- Ridgetop -- Local Bill Held on House Desk

House Bill No. 3355 -- Montgomery County -- Local Bill Held on House Desk

House Bill No. 3356 -- Gibson County -- Local Bill Held on House Desk

REPORTS FROM STANDING COMMITTEES

The committees that met on **May 18, 2000**, reported the following:

COMMITTEE ON CALENDAR AND RULES

The Calendar and Rules Committee met and set the following bill(s) on the **Regular Calendar** for **May 22, 2000**: House Bill(s) No(s). 3180, 2757, 3148, 379, 2371, 2984, 2712, 2462, 775, 417, 3002, 2320, 3065, House Joint Resolution(s) No(s). 499, House Bill(s) No(s). 3025, 3241, 2862, 2364, 2471, House Joint Resolution(s) No(s). 591, 593, House Bill(s) No(s). 25 and 2296.

The Committee also set the following bill(s) on the **Regular Calendar** for **May 25, 2000**: House Bill(s) No(s). 2789 and 780.

The Committee set the following bill(s) and/or resolution(s) on the **Consent Calendar** for **May 22, 2000**: House Bill(s) No(s). 2444, 2436 and House Joint Resolution(s) No(s). 743.

CONSENT CALENDAR

House Resolution No. 227 -- Memorials, Personal Occasion - Willie Lou and John Edd Markle, 50th Wedding Anniversary. by *Todd.

House Joint Resolution No. 749 -- Memorials, Interns - Sarah Potter. by *Rhinehart, *Phelan, *Curtiss.

House Joint Resolution No. 750 -- Memorials, Personal Occasion - Dr. and Mrs. John Theobald, 30th wedding anniversary. by *Givens.

House Joint Resolution No. 751 -- Memorials, Retirement - Tom Biggs. by *Newton.

House Joint Resolution No. 752 -- Memorials, Interns - Andrew Cox. by *Robinson, *Fowlkes, *White.

House Joint Resolution No. 753 -- Memorials, Academic Achievement - Clarkrange High School Chess Team, Under 1000 Scholastic National Chess Champions. by *Windle.

House Joint Resolution No. 754 -- Memorials, Professional Achievement - Margaret Lawless, Jackson Symphony Orchestra. by *McDaniel.

House Joint Resolution No. 755 -- Memorials, Recognition - Watertown, rail transportation and June 1-4, 2000, visit of Artrain USA. by *Bone.

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***Senate Joint Resolution No. 789** -- Memorials, Professional Achievement - Dr. Joel L. Cunningham, President, University of the South. by *McNally, *Kyle, *Cooper, *Williams.

Senate Joint Resolution No. 820 -- Memorials, Recognition - Greater St. John Missionary Baptist Church. by *Harper.

Senate Joint Resolution No. 821 -- Memorials, Public Service - Stones River Woman's Club, "Outstanding Large Club.". by *Haynes.

Senate Joint Resolution No. 825 -- Memorials, Interns - Mark Nabors. by *Elsea.

Senate Joint Resolution No. 826 -- Memorials, Interns - Beth Goddard Nicholson. by *Burchett, *Burchett, *Atchley.

Senate Joint Resolution No. 827 -- Memorials, Academic Achievement - Kathryn Fesler, Salutatorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 828 -- Memorials, Academic Achievement - George Austin Starkweather, Valedictorian, Cookeville High School. by *Burks.

Senate Joint Resolution No. 830 -- Memorials, Academic Achievement - Stenna Hinson, Salutatorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 831 -- Memorials, Academic Achievement - Maranda Nave, Valedictorian, Antioch High School. by *Rochelle.

Senate Joint Resolution No. 832 -- Memorials, Professional Achievement - Pastor James Bell, 25th Anniversary, Southside Baptist Church. by *Graves.

Senate Joint Resolution No. 833 -- Memorials, Recognition - Father Glen Sayers. by *Burks.

Senate Joint Resolution No. 834 -- Memorials, Academic Achievement - Wesley Blalock, Valedictorian, Sevier County High School. by *Clabough.

Senate Joint Resolution No. 835 -- Memorials, Death - John B. Nichols, Jr. by *Clabough.

Senate Joint Resolution No. 842 -- Memorials, Academic Achievement - James Baldwin, University of Tennessee at Chattanooga graduate. by *Crutchfield.

Senate Joint Resolution No. 849 -- Memorials, Recognition - Thomas Walker. by *Haynes.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 94
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 2674 -- Highway Signs - Defines "breakfast" for specific service sign purposes. Amends TCA Section 54-5-1101. by *White, *Newton, *Ridgeway. (*SB2712 by *Cooper)

Further consideration of House Bill No. 2674 previously considered on March 2, 2000 and April 13, 2000, at which time it was reset for today's Calendar.

BILL RE-REFERRED

Rep. White moved that House Bill No. 2674 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

House Bill No. 2874 -- Real Estate Agents and Brokers - Requires real estate brokers to complete 16 hours of continuing education every two years. Amends TCA Title 62, Chapter 13, Part 3. by *Sands. (*SB2811 by *Ramsey)

Further consideration of House Bill No. 2874 previously considered on April 3, 2000, April 6, 2000 and May 4, 2000, at which time it was reset for today's Calendar.

Rep. Godsey moved that House Bill No. 2874 be reset for the Regular Calendar on June 27, 2000, which motion prevailed.

***House Bill No. 2378** -- Pharmacy, Pharmacists - Allows pharmacists to perform laboratory tests under certain circumstances. Amends TCA Section 63-10-404. by *Rhinehart. (SB2768 by *McNally)

Further consideration of House Bill No. 2378 previously considered on April 12, 2000, April 19, 2000, May 1, 2000 and May 8, 2000, at which time it was reset for today's Calendar.

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On motion, House Bill No. 2378 was reset for the Regular Calendar on June 28, 2000, which motion prevailed.

***House Bill No. 2111** -- Limitation of Actions - Adds nonsuit to reversal and arrest as to situations when plaintiff may commence new action under certain circumstances. Amends TCA Section 28-1-105. by *Buck. (SB2889 by *Person)

Rep. Buck moved that House Bill No. 2111 be reset for the Regular Calendar on May 22, 2000, which motion prevailed.

***House Bill No. 2315** -- Constitutional Conventions - Proposes amendment to Article II, Sections 3 through 18, 21, 22, 23, 25, 26, 27, Article III, Sections 2, 12, 18 and Article V, relative to unicameral legislature. by *Sands. (SB3282 by *Cooper)

Rep. Rinks moved that House Bill No. 2315 be reset for the Regular Calendar on June 28, 2000, which motion prevailed.

***House Bill No. 2387** -- Highway Signs - Prohibits stacking of two or more billboard displays, or more than one horizontal display in excess of square footage limitations of present law, after 7/1/00. Amends TCA Title 54, Chapter 21. by *Eckles, *McAfee. (SB2479 by *Haynes)

Further consideration of House Bill No. 2387 previously considered on April 6, 2000, April 10, 2000, May 4, 2000 and May 11, 2000, at which time it was reset for today's Calendar.

Rep. McCord moved that House Bill No. 2387 be reset for the Regular Calendar on June 28, 2000, which motion prevailed.

House Bill No. 715 -- Firearms and Ammunition - Clarifies that prohibition relative to carrying weapons on public parks and playgrounds does not apply to firearms carried pursuant to concealed carry permit. Amends TCA Section 39-17-1311. by *West, *Sharp, *Beavers, *Hargett, *Bittle. (*SB375 by *Williams)

Further consideration of House Bill No. 715 previously considered on May 11, 2000, at which time it was reset for today's Calendar.

***House Bill No. 717** -- Firearms and Ammunition - Specifies notice to be given prohibiting weapons from being carried on certain premises. Amends TCA Section 39-17-1359. by *West, *Sharp, *Beavers, *Pleasant, *Hargett, *Todd, *Bittle. (SB908 by *Rochelle, *Williams)

Further consideration of House Bill No. 717 previously considered on May 11, 2000, at which time it was reset for today's Calendar.

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***House Bill No. 718** -- Firearms and Ammunition - Exempts certain persons from prohibitions on carrying firearm on school property or where alcoholic beverages sold; clarifies that person carrying weapon pursuant to concealed carry permit not subject to provisions prohibiting carrying weapons for purpose of going armed. Amends TCA Title 39, Chapter 17, Part 13. by *West, *Sharp, *Beavers, *Pleasant, *Hargett, *Todd, *Bittle. (SB1645 by *Cooper)

Further consideration of House Bill No. 718 previously considered on May 11, 2000, at which time it was reset for today's Calendar.

Rep. West moved that House Bill(s) No(s). 715, 717 and 718 be reset for the Regular Calendar on June 28, 2000, which motion prevailed.

***House Bill No. 3049** -- Transportation, Dept. of - Authorizes department to allow installation of underground fiber optic cable within rights-of-way of highways. Amends TCA Title 54, Chapter 16. by *Ford S, *Wood, *Baird, *Montgomery, *Buttry, *Walker (Rhea). (SB3122 by *Haun)

Further consideration of House Bill No. 3049 previously considered on May 11, 2000, at which time it was reset for today's Calendar.

Rep. Ford requested that House Bill No. 3049 be moved to the heel of the Calendar.

***House Bill No. 1967** -- Highways, Roads and Bridges - Establishes Mississippi Parkway Commission of Tennessee. Amends TCA Section 4-29-222 and Title 11. by *Fitzhugh. (SB1998 by *Leatherwood)

Further consideration of House Bill No. 1967 previously considered on May 4, 2000 and May 11, 2000, at which time it was reset for today's Calendar.

BILL RE-REFERRED

Rep. Fitzhugh moved that House Bill No. 1967 be re-referred to the House Committee on Calendar and Rules, which motion prevailed.

REGULAR CALENDAR, CONTINUED

***House Bill No. 3039** -- Mining and Quarrying - Changes fees for administering mine foreman examinations and for issuing and registering mine foreman qualification certificates from \$7.50 to \$25.00; permits department of labor and workforce development to organize and conduct mine safety programs and to charge fees of up to \$350 per program to defray costs of such programs. Amends TCA Title 59, Chapter 4. by *Kerr. (SB3111 by *Elsea)

Further consideration of House Bill No. 3039 previously considered on May 11, 2000, at which time it was reset for today's Calendar.

On motion, House Bill No. 3039 was made to conform with **Senate Bill No. 3111**; the Senate Bill was substituted for the House Bill.

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Rep. Kerr moved that Senate Bill No. 3111 be passed on third and final consideration.

On motion, Rep. West withdrew Consumer and Employee Affairs Committee Amendment No. 1.

Rep. Kerr moved that **Senate Bill No. 3111** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	5

Representatives voting aye were: Armstrong, Arriola, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, Westmoreland, White, Whitson, Williams, Winningham, Wood, Mr. Speaker Naifeh -- 87.

Representatives voting no were: Baird, Beavers, Davidson, West, Windle -- 5.

A motion to reconsider was tabled.

House Bill No. 3058 -- Telecommunications - Authorizes Tennessee regulatory authority to promulgate rules concerning cellular towers. Amends TCA Title 65, by *Jones, S., *Hargrove, *West, *Arriola, *Pruitt, *Lewis, *Rhinehart, *Cooper B., *Curtiss, *Fowlkes, *Head, *Odom, *Caldwell, *Hood, *Bone, *Kisber, *McMillan, *Langster, *Ferguson, *Eckles, *Windle, *Towns, *McDonald, *Briley, *Brooks, *Armstrong, *Jones U (Shelby), *Miller L, *Turner (Shelby), *DeBerry L. (*SB2687 by *Kyle)

Further consideration of House Bill No. 3058 previously considered on May 8, 2000 and May 15, 2000, at which time Amendment(s) No(s). 1 was placed at the heel of the Amendments, Amendment(s) No(s). 2 and 3 were withdrawn, the House was on the motion to adopt Amendment(s) No(s). 4 and reset the bill for today's Calendar.

Rep. S. Jones moved that House Bill No. 3058 be passed on third and final consideration.

Rep. Armstrong moved that Amendment No. 4 be withdrawn, which motion prevailed.

Rep. Armstrong moved adoption of Amendment No. 5 as follows:

Amendment No. 5

AMEND House Bill No. 3058 by deleting all provisions of the bill following the enacting clause and substituting the following:

WHEREAS, technology-based information tools, such as the personal computer and the Internet, are becoming increasingly critical to educational and economic advancement; and

WHEREAS, the ability to effectively and efficiently employ this advanced technology is progressively essential for full participation in Tennessee's economic, political, and social life; and

WHEREAS, there is a continuously growing divide between school-age children with access to these information tools and advanced technology and those children without such access; and

WHEREAS, it is well-established and generally acknowledged that as information technology gains an ever-increasing role in our children's educational and economic lives certain children will be left behind in the information age with serious repercussions; and

WHEREAS, the resulting digital divide threatens to impede the health of our communities, the development of a skilled workforce, and the economic welfare of our State; and

WHEREAS, certain entities in both the private and the public sector have surplus technology related goods or excess capacity that could be contributed to and utilized by school-age children who otherwise lack direct and personal access to such advanced technology; and

WHEREAS, in the best and future interest of Tennessee and so as to increase and expand access to information technologies for underserved populations and areas, the General Assembly hereby creates a pilot program to facilitate access to educational technology by school-age children; now therefore, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 65, Chapter 21, is amended by adding the following as a new part:

Section 65-21-301 (a) The Tennessee Regulatory Authority is hereby directed to research, develop and formulate a plan for a program whose purpose is to facilitate access, with the voluntary assistance and voluntary contributions of private industry and interested governmental entities, to information tools and educational technology by underserved school-age children.

(b) Such plan shall be filed with the Speaker of the House, the Speaker of the Senate, and the Governor no later than May 15, 2001.

Section 65-21-302. Such plan shall serve as the basis and framework for a program through which the Authority, relative to advanced educational technology, is specifically authorized to organize and facilitate a voluntary collaboration among private industry and federal, state and local governments whereby their goods and/or services may be contributed and utilized.

Section 65-21-303. The Authority, after consulting with the Department of Education, the Department of Human Services and any other appropriate state agency, shall by rule develop criteria for determining the eligibility of underserved school-age children for this program; provided that during the pilot phase of the program, the selection of eligible candidates will be equally distributed between urban and rural areas; and provided further, that during the pilot phase of the program, the selection of eligible candidates will be equally distributed among the grand divisions.

Section 65-21-304. The Authority is hereby specifically authorized to promulgate any and all other rules necessary for the establishment and operation of this program.

Section 65-21-305. The Authority and the Department of Education shall submit a joint report on the performance of the pilot phase of the program to the Speaker of the House, the Speaker of the Senate, and the Governor no later than January 15, 2004. Such report shall contain a recommendation on whether to continue and/or expand the program.

Section 65-21-306. The Authority is hereby specifically authorized to receive and disperse contributions made pursuant to this legislation.

SECTION 2. A cellular or other wireless telecommunications service provider or other person who proceeds to construct a new tower shall submit the following information to the comptroller of the treasury:

- (1) The location of the tower site which shall include the county and the municipality, if appropriate, and the parcel identification number used by the local assessor for property tax purposes, and the street address;
- (2) Directions to the tower site;
- (3) A copy of the memorandum of lease or sale agreement for the property on which the tower has been approved; and
- (4) The name, mailing address, telephone number of the person responsible for the ad valorem property tax on the tower.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect January 1, 2001, the public welfare requiring it. This act shall not apply to the siting of any tower that has made application for zoning approval before January 1, 2001.

Rep. Armstrong moved adoption of Amendment No. 1 to Amendment No. 5 as follows:

Amendment No. 1 to 5

AMEND House Bill No. 3058 By deleting Section 4 of Amendment No. 5 in its entirety and by substituting instead the following:

Section 4. The provisions of Section 1 of this act shall take effect upon becoming a law, the public welfare requiring it. The provisions of Section 2 and 3 shall take effect January 1, 2001, the public welfare requiring it. This act shall not apply to the siting of any tower that has made application for zoning approval before January 1, 2001.

On motion, Amendment No. 1 to Amendment No. 5 was adopted.

Rep. Armstrong moved that Amendment No. 5 as amended, be adopted which motion prevailed.

On motion, Rep. Phelan withdrew Commerce Committee Amendment No. 1.

Rep. S. Jones moved that **House Bill No. 3058**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	93
Noes	0
Present and not voting	1

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 93.

Representatives present and not voting were: Boyer -- 1.

A motion to reconsider was tabled.

House Bill No. 2377 -- Uniform Commercial Code - Revises Article 9; adjusts filing fees, taxes and allocations; provides transition provisions; makes coordinating and conforming changes Amends TCA Title 47; Title 39, Chapter 11, Part 7; Title 40, Chapter 33, Part 2; Title 43; Title 55, Chapter 3; Title 56, Chapter 37; and Sections 8-13-108, 8-21-1001, 8-37-604, 36-5-901, 45-15-104, 45-17-118, 67-1- 1403, and 67-4-409. by *Fitzhugh, *Rhinehart, *Bunch. (*SB2257 by *Rochelle)

On motion, House Bill No. 2377 was made to conform with **Senate Bill No. 2257**; the Senate Bill was substituted for the House Bill.

Rep. Fitzhugh moved that Senate Bill No. 2257 be passed on third and final consideration.

On motion, Rep. Buck withdrew Judiciary Committee Amendment No. 1.

On motion, Rep. Kisber withdrew Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2.

Rep. Fitzhugh moved that **Senate Bill No. 2257** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	95
Noes	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

Representatives voting no were: Baird -- 1.

A motion to reconsider was tabled.

House Bill No. 2800 -- Highway Signs - "Private Lawrence E. Carrier Memorial Bridge," S.R. 44 in Central Holston and Hickory Tree communities of Sullivan County. by *Mumpower, *Godsey, *Westmoreland, *Davis (Washington). (*SB2971 by *Ramsey, *Williams)

On motion, House Bill No. 2800 was made to conform with **Senate Bill No. 2971**; the Senate Bill was substituted for the House Bill.

Rep. Mumpower moved that Senate Bill No. 2971 be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 2971 By adding the following new, appropriately designated section immediately preceding the effective date section:

SECTION _____. The signs provided for by this act shall be erected only if the department receives adequate funds from non-state sources to defray the expense of fabricating and erecting such signs within one (1) year of the effective date of this act. Contributions may be made by any person or entity interested in this project and shall be remitted as provided by the department.

On motion, Finance, Ways and Means Committee Amendment No. 1 was adopted.

Rep. Mumpower moved that **Senate Bill No. 2971**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Churnney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

***House Bill No. 2841** -- Mental Retardation - Sets methodology for determining payments to entities which contract with department of mental health and mental retardation for mental retardation services. Amends TCA Title 33. by *Eckles, *Wood, *Armstrong. (SB3027 by *Springer, P, *Rochelle, *Fowler)

On motion, House Bill No. 2841 was made to conform with **Senate Bill No. 3027**; the Senate Bill was substituted for the House Bill.

Rep. Eckles moved that Senate Bill No. 3027 be passed on third and final consideration.

On motion, Rep. Armstrong withdrew Health and Human Resources Committee Amendment No. 1.

Rep. Eckles moved that **Senate Bill No. 3027** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 95
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 3109 -- Highway Signs - Establishes procedure for county legislative bodies to follow in naming bridges on U.S. Highway 41-A; requires state and county to share equally in costs incurred in erection of such signs. by *Fowlkes, *Head. (*SB2694 by *Cooper)

Rep. Fowlkes moved that House Bill No. 3109 be passed on third and final consideration.

On motion, Rep. Robinson withdrew Transportation Committee Amendment No. 1.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 as follows:

Amendment No. 2

AMEND House Bill No. 3109 By deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Notwithstanding any other provision of law to the contrary, the following segments of Interstate Highway 40 and Interstate Highway 240 in Shelby County are hereby designated as the "St. Jude Children's Research Highway": beginning at the Tennessee entrance to the Memphis-Arkansas Bridge on Interstate Highway 40 eastward to such route's intersection with Interstate Highway 240; then southward on Interstate Highway 240 to its intersection with Interstate Highway 55.

SECTION 2. The department of transportation is directed to erect suitable signs or to affix suitable markers designating such segments of Interstate Highway 40 and Interstate Highway 240 in Shelby County as the "St. Jude Children's Research Highway".

SECTION 3. Notwithstanding any other provision of law to the contrary, the department of transportation shall erect and maintain directional signs for St. Jude Children's Research Hospital on Interstate Highway 40 at Exit 1C (Danny Thomas Boulevard), both westbound and eastbound, in Shelby County.

SECTION 4. The directional signs provided for in Section 3 shall contain the following language: "WELCOME TO MEMPHIS HOME OF ST. JUDE CHILDREN'S RESEARCH HOSPITAL".

SECTION 5. The erection of the signs provided for by this act shall be within the guidelines prescribed by the Manual on Uniform Traffic Control Devices.

SECTION 6. This act shall become operative only if the federal highway administrator advises the commissioner of transportation in writing that the provisions of this act shall not render Tennessee in violation of federal laws and regulations and subject to penalties prescribed therein.

SECTION 7. This act shall become operative only if there is funding provided for the implementation of this act in the general appropriations act or, alternatively, if St. Jude Children's Research Hospital remits the estimated cost of the erection of such signs to the department of transportation within one (1) year of the effective date of this act. Any such payment by St. Jude Children's Research Hospital shall be made prior to any expenditure by the state for manufacture or installation of such signs. The department shall return any unused portion of the estimated cost to St. Jude Children's Research Hospital within thirty (30) days of the erection of such signs. If the actual cost exceeds the estimated cost, St. Jude Children's Research Hospital shall remit an amount equal to the difference in such costs to the department within thirty (30) days of receiving an itemized invoice of the actual cost from the department.

SECTION 8. If the signs provided for hereunder are to be located on a road other than a road designated as an interstate highway, the local government having jurisdiction over the location of the signs may, in lieu of St. Jude Children's Research Hospital paying the estimated cost required by Section 7, supply the department of transportation the signs provided for in this act. Any signs supplied by local government must be manufactured in accordance with standards established by the department of transportation, including but not limited to, the Manual on Uniform Traffic Control Devices.

SECTION 9. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Finance, Ways and Means Committee Amendment No. 1 as House Amendment No. 2 was adopted.

Rep. Fowlkes moved that **House Bill No. 3109**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes.....	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 3049** -- Transportation, Dept. of - Authorizes department to allow installation of underground fiber optic cable within rights-of-way of highways. Amends TCA Title 54, Chapter 16. by *Ford S, *Wood, *Baird, *Montgomery, *Buttry, *Walker (Rhea). (SB3122 by *Haun)

Further consideration of House Bill No. 3049 previously considered on today's Calendar.

Rep. Kisber moved that House Bill No. 3049 be reset for the Regular Calendar on May 25, 2000, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

House Bill No. 2684 -- Domestic Violence - Creates separate offense of domestic assault, defined as assault committed against a family or household member and punished the same as assault. Amends TCA Title 39, Chapter 13, Part 1. by *Garrett, *Todd. (*SB2936 by *Haynes, *Kurita)

Senate Amendment No. 1

AMEND House Bill No. 2684 by deleting the language ", person who currently resides or in the past has resided with that person," from the amendatory language of Section 1(a) of the bill in its entirety and by substituting instead the following:

, or person who currently resides or in the past has resided with that person as if a family,

SENATE JUDICIARY COMMITTEE AMENDMENT NO. 1: for purposes of determining status as a family or household member, deletes the co-residence test and requires instead that the assailant must currently reside or in the past have resided with the victim "as if a family."

Rep. Garrett moved that the House concur in Senate Amendment(s) No(s). 1 to House Bill No. 2684, which motion prevailed by the following vote:

Ayes.....	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Baird, Beavers, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDonald, McKee, McMillan, Miller, Montgomery, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Bone moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 847 out of order, which motion prevailed.

Senate Joint Resolution No. 847 -- Memorials, Retirement - Delores Lester. by *Rochelle.

On motion of Rep. Bone, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended to allow House Bill No. 899 to be heard in the House Government Operations Committee on Tuesday, May 23, 2000, which motion prevailed.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 759 out of order, which motion prevailed.

House Joint Resolution No. 759 -- Memorials, Interns - Harsha Deivanayagam. by *Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

THURSDAY, MAY 18, 2000 – SEVENTY-NINTH LEGISLATIVE DAY

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 760 out of order, which motion prevailed.

House Joint Resolution No. 760 -- Memorials, Interns - Jamie Kiser. by *Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Hargrove, the resolution was adopted.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant to **Rule No. 59**, notice was given that the following measure(s) from the Senate would be considered on May 22, 2000:

House Bill No. 2779: by Rep. Kent

House Bill No. 2594: by Rep. Kerr

House Bill No. 2503: by Rep. Bunch

House Bill No. 1059: by Rep. Brown

House Bill No. 2012: by Rep. Whitson

House Bill No. 1326: by Rep. Eckles

House Bill No. 2516: by Rep. Hood

House Bill No. 2123: by Rep. Buck

Senate Bill No. 3081: by Rep. Newton

House Bill No. 2916: by Rep. Scroggs

House Bill No. 2169: by Rep. Sands

MESSAGE FROM THE GOVERNOR

Pursuant to **Rule No. 78**, the Clerk read the Governor's veto of House Bill No. 2659 and requested the same be spread upon the Journal:

House Bill No. 2659 -- Campaigns - Decreases time a multicandidate political campaign committee other than committee controlled by political party shall make contribution to any candidate from ten days before election to 14 days before election. Amends TCA Title 2, Chapter 10. by *McMillan. (*SB2697 by *Cooper)

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 2659

I am vetoing House Bill 2659/Senate Bill 2697. I support meaningful comprehensive campaign reform. While this bill attempts to address what may be a valid piece of such reform, I do not believe true reform can be achieved on a partisan piecemeal basis.

ANNOUNCEMENTS

MOTION TO ADOPT REVISED HOUSE SCHEDULE

Rep. Hargrove moved that the House convene at 4:00 p.m. on Monday, May 22, 2000, which motion prevailed.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1672: Rep(s). Kisber as prime sponsor(s).

House Bill No. 1920: Rep(s). Winningham as prime sponsor(s).

House Bill No. 2471: Rep(s). Eckles as prime sponsor(s).

House Bill No. 3269: Rep(s). Newton as prime sponsor(s).

SPONSORS REMOVED

On motion, Rep(s). Fowlkes was/were removed as sponsor(s) of **House Bill No. 1672**.

ENGROSSED BILLS

May 18, 2000

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 3109, 3058, also, House Joint Resolution(s) No(s). 759 and 760.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2064, 2142, 2159, 2268, 2346, 2425, 2847, 2871, 2876, 2915, 3035, 3042 and 3197; for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

SIGNED

May 18, 2000

The Speaker signed the following: Senate Bill(s) No(s). 2064, 2142, 2159, 2268, 2346, 2425, 2847, 2871, 2876, 2915, 3035, 3042 and 3197.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2772, 2842, 3299, 3306, 3322, 3326, 3330 and 3331; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

ENGROSSED BILLS

May 18, 2000

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 749, 750, 751, 752, 753, 754 and 755.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2783; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 160; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3013; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2943 and 2947; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 3163; substituted for Senate Bill(s) on the same subject(s), amended and passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE GOVERNOR

May 18, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2510, 2760, 2845, 2986, 2987, 3055, 3171, 3308, also, House Joint Resolution(s) No(s). 668; with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 714, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729 and 730; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 744, 745, 747, 748, 749, 750, 751, 752, 753, 754 and 755; all concurred in by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE SENATE

May 18, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2486, 2802, 2910 and 3106; all passed by the Senate.

RUSSELL HUMPHREY, Acting Chief Clerk.

***Senate Bill No. 2486** -- Tennessee Regulatory Authority - Revises method of appointing chair; revises length of term of chair. Amends TCA Title 65, Chapter 1, Part 2. by *Haynes. (HB2780 by *Hargrove, *Naifeh, *DeBerry L)

***Senate Bill No. 2802** -- Public Records - Allows any governmental agency to impose fee for production of electronic data or maps and papers generated through GIS project; requires such fee to reflect cost of agency in developing and maintaining the electronic data. Amends TCA Section 10-7-506. by *Womack. (HB2677 by *McDaniel)

***Senate Bill No. 2910** -- TennCare - Creates offenses of falsely obtaining medical assistance and providing false statement of medical condition or eligibility for insurance; Class E felonies; additional penalties of restitution, disqualification, and report to licensure board or department. Amends TCA Title 71, Chapter 5, Part 1. by *Clabough, *Crowe, *Williams, *Atchley, *Blackburn, *Burchett, *Burks, *Carter, *Clabough, *Cohen, *Cooper, *Crutchfield, *Davis L, *Elsea, *Ford J, *Fowler, *Graves, *Haun, *Haynes, *Henry, *Herron, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Springer, J, *Wilder. (HB2471 by *Wood, *Walker (Rhea), *Sharp, *Bittle, *Scroggs, *Sargent, *Mumpower, *Hagood, *Godsey, *Beavers, *Davis (Washington), *Pleasant, *Dunn, *Montgomery, *Hargett, *Buttry, *Newton, *Patton, *Bunch, *Goins, *Baird, *Boyer, *Black, *Todd, *Eckles)

Senate Bill No. 3106 -- Custody and Support - Makes various changes to provisions governing determination of paternity; child support payments; child support collection and enforcement; termination and modification of support orders; and transfer of child support and custody cases Amends TCA Titles 8, 16, 17, 18, 24, 36, 37, 45, 50, 68 and Title 71. by *Person. (*HB3034 by *Scroggs)

MESSAGE FROM THE GOVERNOR
May 18, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2129, with his approval.

MICHELLE LONG, Counsel to the Governor.

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 2129

I am returning House Bill 2129/Senate Bill 2330 with my signature after having been assured by the Executive Secretary of the Tennessee Code Commission that the reference in Section 1 of the bill to a provision of the Tennessee Code Annotated that does not exist will be corrected when the bill is codified.

MESSAGE FROM THE GOVERNOR
May 18, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 1932, with his veto.

MICHELLE LONG, Counsel to the Governor.

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 1932

According to an Opinion from the Attorney General, House Bill 1932/Senate Bill 1933 and like provisions of the law are unconstitutional. Accordingly, I am compelled to veto House Bill 1932/Senate Bill 1933.

MESSAGE FROM THE GOVERNOR
May 18, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2181, with his approval.

MICHELLE LONG, Counsel to the Governor.

MESSAGE FROM THE SENATE
May 18, 2000

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3027, 3111; also, Senate Joint Resolution(s) No(s). 789, 820, 821, 825, 826, 827, 828, 830, 831, 832, 833, 834, 835, 842, 847 and 849 for the signature of the Speaker.

RUSSELL HUMPHREY, Acting Chief Clerk.

MESSAGE FROM THE GOVERNOR
May 18, 2000

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 3297, with his veto.

MICHELLE LONG, Counsel to the Governor.

GOVERNOR'S STATEMENT ON HOUSE BILL NO. 3297

I am vetoing House Bill 3297/Senate Bill 3288. It is my understanding that Section 9 of the bill contains provisions that violate state law. I believe the sponsors were made aware of these concerns and attempted to recall the bill. Such attempts were unsuccessful. Consequently, I am returning House Bill 3297/Senate Bill 3288 with my veto.

CONSENT CALENDAR
May 18, 2000

The following local bills have been placed on the Consent Calendar for **May 22, 2000**: House Bill(s) No(s). 3302, 3324, 3325, 3328, 3332, 3333, 3335, 3336, 3337, 3338, 3339, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3351, 3352 and 3353.

ROLL CALL

The roll call was taken with the following results:

Present 91

Representatives present were: Armstrong, Arriola, Baird, Bittle, Black, Bone, Bowers, Boyer, Briley, Brooks, Brown, Buck, Bunch, Buttry, Caldwell, Chumney, Cole (Carter), Cole (Dyer), Cooper, Curtiss, Davidson, Davis (Cocke), Davis (Washington), DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Godsey, Goins, Gunnels, Hagood, Hargett, Hargrove, Harwell, Hassell, Head, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McCord, McDaniel, McDonald, McKee, Miller, Montgomery, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rinks, Roach, Sands, Sargent, Scroggs, Sharp, Stulce, Tidwell, Tindell, Todd, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 91.

RECESS MOTION

On motion of Rep. Arriola, the House stood in recess until 4:00 p.m., Monday, May 22, 2000.